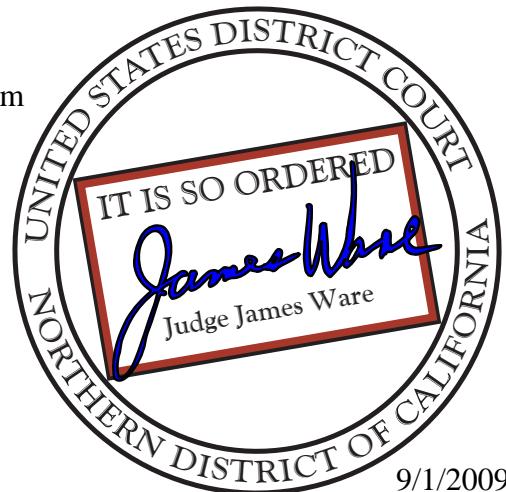


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9/1/2009

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

20 ESMERALDA MENDEZ, on behalf of herself ) CASE NO.: 09-CV-02889-JW  
and all others similarly situated, )  
21 Plaintiff, ) (Related to Case No.: 09-CV-03356)  
22 v. )  
23 INTEL CORPORATION, )  
24 Defendant. )  
25 \_\_\_\_\_ )  
26 )  
27 )  
28 )  
STIPULATION REGARDING TIME TO RESPOND TO PLEADINGS  
Complaint Filed: June 26, 2009  
Trial Date: None  
Discovery Cutoff: None

1           WHEREAS, on June 26, 2009, Plaintiff Esmeralda Mendez filed her original  
2 complaint in the matter of Mendez v. Intel Corporation, No. 09-CV-02889-JW;

3           WHEREAS, on July 22, 2009, Plaintiff Daniel's Den Inc. filed its original complaint  
4 in the matter of Daniel's Den Inc. v. Intel Corporation, No. 09-CV-03356-PVT;

5           WHEREAS, the parties in both Mendez and Daniel's Den previously stipulated that  
6 Defendant's response to the respective complaints would be due on August 28, 2009 in order to  
7 give the Plaintiffs sufficient time to prepare any amendment to their original complaints and to  
8 relieve Defendant of the need to file a potentially unnecessary response to the original complaints;

9           WHEREAS, on August 19, 2009, the Court granted Defendant's Administrative  
10 Motion To Consider Whether Cases Should Be Related based on the stipulation of the parties dated  
11 August 5, 2009, and assigned both the Mendez and Daniel's Den matters to the Honorable James  
12 Ware for all purposes;

13           WHEREAS, Plaintiffs are still in the process of considering whether and, if so, how  
14 to amend their respective complaints in these matters;

15           WHEREAS, Northern District Local Rule 6-1(a) allows the "[p]arties [to] stipulate  
16 in writing, without a Court order, to extend the time within which to answer or otherwise respond  
17 to the complaint . . . provided the change will not alter the date of any event or any deadline  
18 already fixed by Court order. Such stipulations shall be promptly filed pursuant to Civil L.R. 5.";

19           WHEREAS, the parties are unaware of any deadlines fixed by the Court that would  
20 be affected by the parties' proposal; and

21           WHEREAS, the parties agree to extend the deadline for Defendant's response to  
22 both the Mendez and Daniel's Den complaints in order to give plaintiffs sufficient time to prepare  
23 any amendment to their original complaints and to relieve Defendant of the need to file potentially  
24 unnecessary responses to those complaints.

25           NOW, THEREFORE, the parties stipulate as follows:

26

27

28

(1) Defendant may have until October 2, 2009 to respond to the original complaints in Mendez and Daniel's Den; and

5 || SO STIPULATED.

**6** | DATED: August 25, 2009

## GIRARD GIBBS LLP

By: \_\_\_\_\_ /s/ Eric H. Gibbs  
Eric H. Gibbs

Attorneys for Plaintiff  
**ESMERALDA MENDEZ**

DATED: August 25, 2009

**COUGHLIN STOIA GELLER RUDMAN & ROBBINS  
LLP**

By: \_\_\_\_\_ /s/ Shawn A. Williams  
Shawn A. Williams

Attorneys for Plaintiff  
**DANIEL'S DEN INC.**

DATED: August 25, 2009

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: \_\_\_\_\_ /s/ Raoul D. Kennedy  
Raoul D. Kennedy

Attorneys for Defendant  
**INTEL CORPORATION**